UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,120	07/31/2003	Stefan Mueller	34874-081 UTIL	1844

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EXAMINER
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ART UNIT	PAPER NUMBER
2164	

MAIL DATE	DELIVERY MODE
12/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action **Before the Filing of an Appeal Brief**	10/632,120	MUELLER ET AL.
	Examiner	Art Unit
	Sathyanarayan Pannala	2164

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 December 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because

   (a)☒ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: *See Continuation Sheet.* (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: 1,2,5-8,10,11,18-20,23-26,28 and 29.

   Claim(s) withdrawn from consideration: 3,4,8-18 and 26-29.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

   See Continuation Sheet.

12. ☐ Note the attached Information *Disclosure* Statement(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Sathyanarayan Pannala/
Primary Examiner, Art Unit 2164

Continuation of 3. NOTE: Applicant amended independent claims 1 and 19, and needs futher search and reconsideration is required. Therefore, this amendment will not be entered.

Continuation of 11. does NOT place the application in condition for allowance because: Claims 1,5-7, 19-20, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tabbara et al. (US Patent 6,460,043) hereinafter Tabbara, and in view of Trossen et al. (USPA Pub. 2004/0260749 A1) hereinafter Trossen. For example, As per independent claims 1, 19, Tabbara teaches method for querying data stored on a computer includes creating a dictionary of conceptual information and physical information about data (col. 3, lines 7-12). Tabbara teaches the claimed, receiving from an application a semantic request having a request name that semantically identifies a type of information sought by the request (Fig. 4c, col. 8, lines 14-18, lines 24-26 and lines 32-34). Tabbara teaches the claimed, converting the received semantic request to a generic request having corresponding request parameters (Fig. 4c, col. 8, line 64 to col. 9, line 28). Tabbara teaches the claimed, transmitting the converted request to a data access system (Fig. 3, col. 6, lines 45-48). Tabbara teaches the claimed, receiving data from the data access system corresponding to the converted request (Fig. 3, 9, col. 11, lines29-42). Tabbara teaches the claimed, providing the data to the application (Fig. 4A, col. 7, lines 23-28). Tabbara teaches the claimed, initiating a creation of an object for receiving and converting the semantic request (Fig. 44, col. 39, lines 13-15). Tabbara teaches the claimed, opening a database connection within a data access system corresponding to the semantic request (Fig. 44, col. 39, lines 11-12). Tabbara teaches the claimed, requesting properties of data corresponding to the semantic request, if a database connection has not previously been opened (Fig. 44, col. 40, lines 8-12). Tabbara teaches the claimed, the semantic object provider comprising an interface component to create an object, an implementation object to provide persistency, and an object registry to interact with a repository (col. 10, lines 55-56). Tabbara teaches the claimed, the semantic request comprises a uniform resource identifier (Fig. 4, page 4, paragraph [0035]). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Trossen's teachings would have allowed Tabbara's method that the session initiation protocol (SIP) event server may have better (or even exclusive) access to resources that are required to implement the desired application semantic (page 1, paragraph [0007]). Therefore, the final rejection mailed on 10/14/2008 has been sustained.

Finally, Tabbara does not explicitly teach semantic request with **URI**. However, Trossen teaches the claimed, the semantic request comprises a uniform resource identifier (Fig. 4, page 4, paragraph [0035]). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Trossen's teachings would have allowed Tabbara's method that the session initiation protocol (SIP) event server may have better (or even exclusive) access to resources that are required to implement the desired application semantic (page 1, paragraph [0007]). Therefore, the final rejection mailed on 10/14/2008 has been sustained.